

LEGISLATIVE HISTORY ONLY

Proposed Floor Statement on Section 717

Mr. President:

In connection with section 717, which is the Federal employee provision of the bill, the Committee has specifically provided a statutory appeal mechanism, including access to the United States District Court, for any Federal employee or applicant who believes he has been discriminated against in this capacity because of race, color, religion, sex, or national origin.

In providing the statutory basis for such appeal or court access, it is not the intent of the Committee to subordinate any discretionary authority or final judgment now reposed in agency heads by, or under, statute for national security reasons. In seeking to insure equal employment opportunities for Federal employees, we do not intend to impair current statutory authority ~~or interfere with determinations made pursuant~~ *available to* ~~to that authority by an agency head in the~~ *furtherance* ~~interest of national security.~~

It is not intended
We do not believe that section 717 modifies any statutes relating to national security, ~~nor that it affects~~ *or to* current court decisions upholding any authority granted under those statutes, ~~but it is our opinion that~~ *However,* in the absence of affirmative determinations pursuant to national security statutes, the procedures set out in section 717 would apply.

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Remarks:

In the event we strike out on specific amendments to the EEOC bill (which is scheduled for conference early next week), I think it would be better if we had a hand in whatever "legislative history" is inserted in the conference report.

As a starter, what do you think of the attached language which we had earlier prepared to be used on the floor? Once it passes your specifications, I would be glad to conform it to the style to be inserted in the conference report.

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